(c) Limitations

(1) Administrative expenses

Not more than 10 percent of the amount made available to carry out this section during a fiscal year may be used by the Secretary for expenses associated with administration of the program authorized by this section.

(2) Construction costs

None of the funds made available under this section may be used for the construction of a new building or the acquisition, expansion, remodeling, or alteration of an existing building (including site grading and improvement and architect fees).

(d) Reports

An eligible entity that receives a grant or contract or enters into a cooperative agreement under this section shall submit an annual progress report and a final technical report to the Secretary that—

(1) describes project activities, implications of the project, the significance of the project to marine mineral research, identification, assessment, and exploration, and potential commercial and economic benefits and effects of the project; and

(2) in the case of an annual progress report, includes a project plan for the subsequent year.

(Pub. L. 91–631, title II, § 203, as added Pub. L. 104–325, § 2(3), Oct. 19, 1996, 110 Stat. 3995.)

CODIFICATION

October 19, 1996, referred to in subsec. (a)(2)(C), was in the original ''the date of enactment of this Act'', which was translated as meaning the date of enactment of Pub. L. 104–135, which enacted this chapter, to reflect the probable intent of Congress.

§ 1904. Marine mineral research centers

(a) In general

No later than 90 days after October 19, 1996, the Secretary shall designate 3 centers for marine mineral research and related activities.

(b) Concentration

One center shall concentrate primarily on research in the continental shelf regions of the United States, 1 center shall concentrate primarily on research in deep seabed and nearshore environments of islands, and 1 center shall concentrate primarily on research in arctic and cold water regions.

(c) Criteria

In designating a center under this section, the Secretary shall give priority to a university that—

(1) administers a federally funded center for marine minerals research;

(2) matriculates students for advanced degrees in marine geological sciences, nonenergy natural resources, and related fields of science and engineering;

(3) is a United States university with established programs and facilities that primarily focus on marine mineral resources;

(4) has engaged in collaboration and cooperation with industry, governmental agencies, and other universities in the field of marine mineral resources;

(5) has demonstrated significant engineering, development, and design experience in two or more of the following areas;[1]

(A) seabed exploration systems;

(B) marine mining systems; and

(C) marine mineral processing systems; and

(6) has been designated by the Secretary as a State Mining and Mineral Resources Research Institute.

(d) Center activities

A center shall—

(1) provide technical assistance to the Secretary concerning marine mineral resources;

(2) advise the Secretary on pertinent international activities in marine mineral resources development;

(3) engage in research, training, and education transfer associated with the characterization and utilization of marine mineral resources; and

(4) promote the efficient identification, assessment, exploration, and management of marine mineral resources in an environmentally sound manner.

(e) Allocation of funds

In distributing funds to the centers designated under subsection (a) of this section, the Secretary shall, to the extent practicable, allocate an equal amount to each center.

(f) Limitations

(1) Administrative expenses

Not more than 5 percent of the amount made available to carry out this section during a fiscal year may be used by the Secretary for expenses associated with administration of the program authorized by this section.

(2) Construction costs

None of the funds made available under this section may be used for the construction of a new building or the acquisition, expansion, remodeling, or alteration of an existing building (including site grading and improvement and architect fees).

(Pub. L. 91–631, title II, § 204, as added Pub. L. 104–325, § 2(3), Oct. 19, 1996, 110 Stat. 3998.)

§ 1905. Authorization of appropriations

There is authorized to be appropriated such sums as are necessary to carry out this chapter.

(Pub. L. 91–631, title II, § 205, as added Pub. L. 104–325, § 2(3), Oct. 19, 1996, 110 Stat. 3999.)

CHAPTER 32—METHANE HYDRATE RESEARCH AND DEVELOPMENT

[1] So in original. The semicolon probably should be a colon.

CODIFICATION

This chapter is comprised of Pub. L. 106–193, as amended generally by Pub. L. 109–58, title IX, §968(a), Aug. 8, 2005, 119 Stat. 894, known as the Methane Hydrate Research and Development Act of 2000, which was formerly set out as a note under section 1902 of this title.

§ 2001. Findings

Congress finds that—

(1) in order to promote energy independence and meet the increasing demand for energy, the United States will require a diversified portfolio of substantially increased quantities of electricity, natural gas, and transportation fuels;

(2) according to the report submitted to Congress by the National Research Council entitled ''Charting the Future of Methane Hydrate Research in the United States'', the total United States resources of gas hydrates have been estimated to be on the order of 200,000 trillion cubic feet;

(3) according to the report of the National Commission on Energy Policy entitled ''Ending the Energy Stalemate—A Bipartisan Strategy to Meet America's Energy Challenge'', and dated December 2004, the United States may be endowed with over one-fourth of the methane hydrate deposits in the world;

(4) according to the Energy Information Administration, a shortfall in natural gas supply from conventional and unconventional sources is expected to occur in or about 2020; and

(5) the National Academy of Sciences states that methane hydrate may have the potential to alleviate the projected shortfall in the natural gas supply.

(Pub. L. 106–193, §2, as added Pub. L. 109–58, title IX, §968(a), Aug. 8, 2005, 119 Stat. 894.)

PRIOR PROVISIONS

A prior section 2 of Pub. L. 106–193 was set out in a note under section 1902 of this title prior to the general amendment of Pub. L. 106–193 by Pub. L. 109–58.

SHORT TITLE

Pub. L. 106–193, §1, as added by Pub. L. 109–58, title IX, §968(a), Aug. 8, 2005, 119 Stat. 894, provided that: ''This Act [enacting this chapter] may be cited as the 'Methane Hydrate Research and Development Act of 2000'.''

RECLASSIFICATION

Pub. L. 109–58, title IX, §968(b), Aug. 8, 2005, 119 Stat. 898, provided that: ''The Law Revision Counsel shall reclassify the Methane Hydrate Research and Development Act of 2000 (30 U.S.C. 1902 note; Public Law 106–193) to a new chapter at the end of title 30, United States Code.''

§ 2002. Definitions

In this chapter:

(1) Contract

The term ''contract'' means a procurement contract within the meaning of section 6303 of title 31.

(2) Cooperative agreement

The term ''cooperative agreement'' means a cooperative agreement within the meaning of section 6305 of title 31.

(3) Director

The term ''Director'' means the Director of the National Science Foundation.

(4) Grant

The term ''grant'' means a grant awarded under a grant agreement (within the meaning of section 6304 of title 31).

(5) Industrial enterprise

The term ''industrial enterprise'' means a private, nongovernmental enterprise that has an expertise or capability that relates to methane hydrate research and development.

(6) Institution of higher education

The term ''institution of higher education'' means an institution of higher education (as defined in section 1002 of title 20).

(7) Secretary

The term ''Secretary'' means the Secretary of Energy, acting through the Assistant Secretary for Fossil Energy.

(8) Secretary of Commerce

The term ''Secretary of Commerce'' means the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration.

(9) Secretary of Defense

The term ''Secretary of Defense'' means the Secretary of Defense, acting through the Secretary of the Navy.

(10) Secretary of the Interior

The term ''Secretary of the Interior'' means the Secretary of the Interior, acting through the Director of the United States Geological Survey, the Director of the Bureau of Land Management, and the Director of the Minerals Management Service.

(Pub. L. 106–193, §3, as added Pub. L. 109–58, title IX, §968(a), Aug. 8, 2005, 119 Stat. 895.)

PRIOR PROVISIONS

A prior section 3 of Pub. L. 106–193 was set out in a note under section 1902 of this title prior to the general amendment of Pub. L. 106–193 by Pub. L. 109–58.

§ 2003. Methane hydrate research and development program

(a) In general

(1) Commencement of program

Not later than 90 days after August 8, 2005, the Secretary, in consultation with the Secretary of Commerce, the Secretary of Defense, the Secretary of the Interior, and the Director, shall commence a program of methane hydrate research and development in accordance with this section.

(2) Designations

The Secretary, the Secretary of Commerce, the Secretary of Defense, the Secretary of the Interior, and the Director shall designate individuals to carry out this section.

(3) Coordination

The individual designated by the Secretary shall coordinate all activities within the Department of Energy relating to methane hydrate research and development.

(4) Meetings

The individuals designated under paragraph (2) shall meet not later than 180 days after August 8, 2005, and not less frequently than every 180 days thereafter to—

(A) review the progress of the program under paragraph (1); and

(B) coordinate interagency research and partnership efforts in carrying out the program.

(b) Grants, contracts, cooperative agreements, interagency funds transfer agreements, and field work proposals

(1) Assistance and coordination

In carrying out the program of methane hydrate research and development authorized by this section, the Secretary may award grants to, or enter into contracts or cooperative agreements with, institutions of higher education, oceanographic institutions, and industrial enterprises to—

(A) conduct basic and applied research to identify, explore, assess, and develop methane hydrate as a commercially viable source of energy;

(B) identify methane hydrate resources through remote sensing;

(C) acquire and reprocess seismic data suitable for characterizing methane hydrate accumulations;

(D) assist in developing technologies required for efficient and environmentally sound development of methane hydrate resources;

(E) promote education and training in methane hydrate resource research and resource development through fellowships or other means for graduate education and training;

(F) conduct basic and applied research to assess and mitigate the environmental impact of hydrate degassing (including both natural degassing and degassing associated with commercial development);

(G) develop technologies to reduce the risks of drilling through methane hydrates; and

(H) conduct exploratory drilling, well testing, and production testing operations on permafrost and non-permafrost gas hydrates in support of the activities authorized by this paragraph, including drilling of one or more full-scale production test wells.

(2) Competitive peer review

Funds made available under paragraph (1) shall be made available based on a competitive process using external scientific peer review of proposed research.

(c) Methane hydrates advisory panel

(1) In general

The Secretary shall establish an advisory panel (including the hiring of appropriate staff) consisting of representatives of industrial enterprises, institutions of higher education, oceanographic institutions, State agencies, and environmental organizations with knowledge and expertise in the natural gas hydrates field, to—

(A) assist in developing recommendations and broad programmatic priorities for the methane hydrate research and development program carried out under subsection (a)(1);

(B) provide scientific oversight for the methane hydrates program, including assessing progress toward program goals, evaluating program balance, and providing recommendations to enhance the quality of the program over time; and

(C) not later than 2 years after August 8, 2005, and at such later dates as the panel considers advisable, submit to Congress—

(i) an assessment of the methane hydrate research program; and

(ii) an assessment of the 5-year research plan of the Department of Energy.

(2) Conflicts of interest

In appointing each member of the advisory panel established under paragraph (1), the Secretary shall ensure, to the maximum extent practicable, that the appointment of the member does not pose a conflict of interest with respect to the duties of the member under this chapter.

(3) Meetings

The advisory panel shall—

(A) hold the initial meeting of the advisory panel not later than 180 days after the date of establishment of the advisory panel; and

(B) meet biennially thereafter.

(4) Coordination

The advisory panel shall coordinate activities of the advisory panel with program managers of the Department of Energy at appropriate National Laboratories.

(d) Construction costs

None of the funds made available to carry out this section may be used for the construction of a new building or the acquisition, expansion, remodeling, or alteration of an existing building (including site grading and improvement and architect fees).

(e) Responsibilities of the Secretary

In carrying out subsection (b)(1), the Secretary shall—

(1) facilitate and develop partnerships among government, industrial enterprises, and institutions of higher education to research, identify, assess, and explore methane hydrate resources;

(2) undertake programs to develop basic information necessary for promoting long-term interest in methane hydrate resources as an energy source;

(3) ensure that the data and information developed through the program are accessible and widely disseminated as needed and appropriate;

(4) promote cooperation among agencies that are developing technologies that may hold promise for methane hydrate resource development;

(5) report annually to Congress on the results of actions taken to carry out this chapter; and

(6) ensure, to the maximum extent practicable, greater participation by the Depart-

ment of Energy in international cooperative efforts.

(Pub. L. 106–193, § 4, as added Pub. L. 109–58, title IX, § 968(a), Aug. 8, 2005, 119 Stat. 895.)

PRIOR PROVISIONS

A prior section 4 of Pub. L. 106–193 was set out in a note under section 1902 of this title prior to the general amendment of Pub. L. 106–193 by Pub. L. 109–58.

§ 2004. National Research Council study

(a) Agreement for Study

The Secretary shall offer to enter into an agreement with the National Research Council under which the National Research Council shall—

(1) conduct a study of the progress made under the methane hydrate research and development program implemented under this chapter; and

(2) make recommendations for future methane hydrate research and development needs.

(b) Report

Not later than September 30, 2009, the Secretary shall submit to Congress a report containing the findings and recommendations of the National Research Council under this section.

(Pub. L. 106–193, § 5, as added Pub. L. 109–58, title IX, § 968(a), Aug. 8, 2005, 119 Stat. 898.)

PRIOR PROVISIONS

A prior section 5 of Pub. L. 106–193 was set out in a note under section 1902 of this title prior to the general amendment of Pub. L. 106–193 by Pub. L. 109–58.

§ 2005. Reports and studies for Congress

The Secretary shall provide to the Committee on Science of the House of Representatives and the Committee on Energy and Natural Resources of the Senate copies of any report or study that the Department of Energy prepares at the direction of any committee of Congress relating to the methane hydrate research and development program implemented under this chapter.

(Pub. L. 106–193, § 6, as added Pub. L. 109–58, title IX, § 968(a), Aug. 8, 2005, 119 Stat. 898.)

PRIOR PROVISIONS

A prior section 6 of Pub. L. 106–193 was set out in a note under section 1902 of this title prior to the general amendment of Pub. L. 106–193 by Pub. L. 109–58.

CHANGE OF NAME

Committee on Science of House of Representatives changed to Committee on Science and Technology of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 2006. Authorization of appropriations

There are authorized to be appropriated to the Secretary to carry out this chapter, to remain available until expended—

(1) $15,000,000 for fiscal year 2006;
(2) $20,000,000 for fiscal year 2007;
(3) $30,000,000 for fiscal year 2008;
(4) $40,000,000 for fiscal year 2009; and
(5) $50,000,000 for fiscal year 2010.

(Pub. L. 106–193, § 7, as added Pub. L. 109–58, title IX, § 968(a), Aug. 8, 2005, 119 Stat. 898.)

PRIOR PROVISIONS

A prior section 7 of Pub. L. 106–193 was set out in a note under section 1902 of this title prior to the general amendment of Pub. L. 106–193 by Pub. L. 109–58.